

REMARKS

Applicants would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the claimed subject matter.

As an initial matter, Applicants note that the Office Action Summary (page 1) indicates that an Information Disclosure Statement dated 2/6/09 was attached to the Office action. However, this document was not included with the Office Action and is not available for download in Private PAIR. Applicants respectfully request that this document be provided with the next action issued by the Office.

Applicants acknowledge that claim 3 has been properly withdrawn from consideration since, as amended, it now depends from withdrawn claim 2.

New independent claim 9 has been added by amendment. Support for claim 9 can be found, *inter alia*, in Figs 1-2 and on page 6, lines 5-17.

Claim 8 was rejected under 35 U.S.C. 101 as being inoperative and lacking utility. Claim 8 was further rejected under 35 U.S.C. 112, first paragraph as failing to comply with the written description requirement. Claim 8 was further rejected under 35 U.S.C. 112, second paragraph as being indefinite. To expedite the prosecution of the present application, claim 8 has been canceled by amendment herein, thereby rendering the rejections moot. However, by canceling claim 8 Applicants are not acceding to the merits of the rejections.

Claims 1 and 4 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for inclusion of the limitation "which is free from mechanical loosening," in claim 1. To expedite the prosecution of the present application, this language has been canceled from claim 1

by amendment herein, thereby rendering the rejection moot. However, by canceling this language Applicants are not acceding to merits of the rejection.

Claims 1 and 4 were further rejected under 35 U.S.C. 102(b) as being anticipated by DE 29717628 to Morawski. For the following reasons, the rejection is respectfully traversed and reconsideration of the claims is respectfully requested.

With reference to amended claim 1, Morawski does not teach all of the limitations of the claims including that a “first positioning member is held at a position where *no portion of the first positioning member protrudes* from the surface of the first member when performing a normal operation, whereas when performing an origin adjustment, the first positioning member is made to protrude from the surface of the first member.”

With reference to Morawski, the Office action cites item 14' as the positioning member of claim 1. The Office action however, does not cite any disclosure of the reference that teaches that item 14' is held at a position where no portion of the positioning member protrudes from the first member, as required by amended claim 1. Further, it is stated in the Response to Arguments section of the Office action that “Morawski does indeed show this limitation as claimed. Morawski shows a circular arrangement and the first positioning member does not protrude from the high side of the circle in which it is contained.” As understood by Applicants, this statement only asserts that a portion of Morawski's item 14' does not protrude. As amended, claim 1 now explicitly requires that *no portion* of the first positioning member protrudes. Thus, as further explained below, the rejection has been rendered moot by the amendment.

Fig. 2 of Morawski shows three stop members (Anschläge 14') in a circular arrangement, which are located at the 12 o'clock, 3 o'clock and 6 o'clock positions, respectively. In Fig. 2,

the stop member (14') located at the 3 o'clock position is shown in an extended position. The other two stop members, at the 12 o'clock and 6 o'clock positions, are shown in a retracted position. Even in this retracted position, a portion of these stop members partially protrude from the flange (29). By contrast, and for the reasons explained below, no portion of the positioning member of claim 1 protrudes when performing a normal operation.

As noted in the "Background Art" section of the present application at page 2, lines 6-10, origin adjustment mechanisms for industrial robots are often exposed to dust, which can, over a period of time, build up on the mechanisms and affect the accuracy of the origin adjustment. As explained at page 6, lines 9-11 of the specification, according to an embodiment of the claimed invention, "the positioning member 22 is embedded in the first member 11 so that a dust proof effect for the positioning member 23 and the guide portion 24 can be exhibited." (See also, page 8, lines 1-9.) Accordingly, the invention of claim 1 has an advantage over prior art devices, such as Morawski, since the positioning member does not protrude during normal operations of the robot, and is therefore protected from dust build-up that could affect accuracy of the origin adjustment. Referring again to Fig. 2 of Morawski, if used in an industrial environment, the portions of the retracted stop members (14') that remain protruded from the flange (29) would be exposed to dust that could affect their ability to accurately position the rotating member (13) that it abuts. In contrast to the requirements of claim 1, Morawski clearly teaches at least a portion of the stop members (14') protruding from the flange (29) at all times.

With further reference to amended claim 1, Morawski does not teach that "a first positioning member . . . protrudes in a direction *parallel to an axis of relative rotation* of the first and second members," as required. Unlike the claimed positioning member, the stop

members (14') of Morawski protrude from the inner surface of the flange (29) in a direction that is *perpendicular* to the axis of rotation of the flange (29) relative to the rotating member (13).

Accordingly, Morawski does not anticipate the "parallel" limitation of claim 1, as required.

Therefore, at least the above-mentioned reasons, the Morawski does not disclose every limitation of amended claim 1 as required to maintain a rejection under 35 U.S.C. 102(b).

Further, since claim 4 depends from claim 1, it is not fully anticipated by Morawski for the same reasons. Thus, it is respectfully requested that the rejection be withdrawn.

Claim 8 was rejected under 35 U.S.C. 103(a) as being unpatentable over Morawski in view of JP2002-239967. As mentioned above, claim 8 has been canceled by amendment herein, thereby rendering the rejection moot.

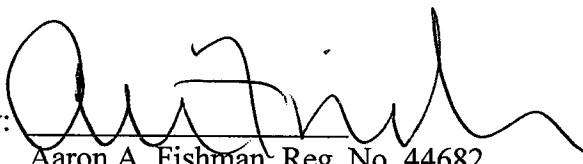
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

Appl. No. 10/536,594
Response Dated June 15, 2009
Reply to Office action of March 13, 2008

If there are any additional fees resulting from this communication, please charge same to
our Deposit Account No. 16-0820, our Order No.: NGB-38313.

Respectfully submitted,

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